

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 103A.7, the Building Code Commissioner, with the approval of the Building Code Advisory Council, hereby gives Notice of Intended Action to amend Chapter 322, "State Building Code—Manufactured Housing Support and Anchorage Systems," and to adopt new Chapter 323, "Temporary Emergency Use of Factory-Built Structures—Commercial Use," Iowa Administrative Code.

Responsibility for establishing standards for the installation of factory-built structures is assigned to the Building Code Commissioner. These standards are adopted as part of the State Building Code, with the approval of the Building Code Advisory Council. Rules establishing standards for installation of manufactured housing were recently reorganized, effective July 1, 2008, into new Chapter 322 of the rules of the Department of Public Safety, and then amended, also effective July 1, 2008, by an emergency rule making which allows for temporary emergency use of manufactured housing which does not meet all of the installation requirements that would normally apply. The amendments proposed herein would further facilitate temporary emergency use of manufactured homes to alleviate critical housing needs of persons displaced by recent flooding or tornadoes and would also facilitate provision of temporary emergency locations for businesses displaced by flooding or tornadoes.

In order to facilitate rapid availability of housing, an amendment proposed herein would allow for temporary occupancy of manufactured housing without compliance with the usual requirements for support systems for installed units. The units installed under the provision proposed herein would be for use for up to 18 months only, unless reinstalled in compliance with all of the standards that normally apply to such installations. Emergency relocation of businesses whose usual place of business has been rendered unusable by flooding, storm damage or any other condition which is a basis for a disaster emergency proclamation is facilitated by an amendment that would allow for the use for up to 18 months of factory-built structures which are not intended to be placed on permanent foundations, provided that manufacturers' specifications for installation and maintenance of the units are met.

A public hearing on these proposed amendments will be held on September 9, 2008, at 10 a.m. in the First Floor Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319. Persons may present their views orally or in writing at the public hearing. Persons who wish to make oral presentations at the hearing should contact the Agency Rules Administrator, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319, by mail; by telephone at (515)725-6185; or by electronic mail to admrule@dps.state.ia.us at least one day prior to the hearing.

Any interested persons may make oral or written comments concerning these proposed amendments to the Agency Rules Administrator by mail, telephone, or in person at the above address by 4:30 p.m. on September 8, 2008. Comments may also be submitted by electronic mail to admrule@dps.state.ia.us by 4:30 p.m. on September 8, 2008.

These amendments were also Adopted and Filed Emergency, effective July 10, 2008, and are published herein as **ARC 7007B**. The content of that submission is incorporated by reference.

These amendments are intended to implement Iowa Code section 103A.9.